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REMARKS

Claims 1-14 are presently pending in the instant Action. Claims 7, 8, 12-14 stand rejected under 35 U.S.C. 112, second paragraph. Claim 11 has been rejected under 35 U.S.C. 101. Claims 1-14 have been rejected under 35 U.S.C. 102(b) as allegedly being anticipated by U.S. Patent No. 5,870,723 issued to Pare, Jr. et al. (hereinafter "Pare"). Claims 1, 2, 4, 5, 7, and 10-13 have been amended. Claims 3 and 8 have been canceled. New claims 15-20 have been added. The Applicant submits that the instant application is in condition for allowance at least for the reasons presented herein. No new matter has been entered.

Claim Rejections under 35 USC § 112

Claims 7, 8, 12-14 have been rejected under 35 U.S.C. 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 7 has been amended to clarify the term "rendering." Claim 8 depends from claim 7. Claims 12 and 13 have been amended to comply with requirements of providing proper antecedent basis with respect to the recitation of "the information". Claim 14 depends from claim 13. The Applicant submits that claims 7, 8, and 12-14 are in condition for allowance. Reconsideration of the outstanding rejections is respectfully requested.

Claim Rejections under 35 USC § 101

Claim 11 has been rejected under 35 U.S.C. 101 as allegedly being directed to non-statutory matter. Specifically, the Examiner asserts that claim 11 is non-statutory because the program code as claimed is not embodied or saved in a computer readable medium. The Applicant has amended claim 11 and submits that claim 11 complies the requirements set forth in 35 U.S.C. 101. Reconsideration of the rejection is respectfully requested.

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Claim Rejections under 35 USC § 102

Claims 1-14 have been rejected under *35* U.S.C. 102(b) as allegedly being anticipated by Pare. The Applicant respectfully disagrees for at least the reasons set forth herein.

The Pare reference is directed to preventing credit card fraud and abuse via the use of authentication techniques using biometrics. The Examiner is kindly directed to the Background provided in the Pare reference in support. Contrary to the Pare reference, Applicant's claim 1 recites a "method for providing information indicative of an account status to an account holder...". Claim 1 further recites "comparing an actual value with a preset parameter, the preset parameter defined by the account holder; deriving the information in response to a transaction that influences the actual value; and providing the information to the account holder through the device, the device associated with the account holder." Pare does not recite these features. Rather, Pare teaches a registration process performed by a buyer that includes registering a "PIN, at least one biometric sample, and at least one buyer financial account...[having] an associated account index code that is assigned by the buyer during registration" (col. 4, lines 19-25). The account index code specifies distinguishes each account associated with the buyer (col. 4, lines 36-37). Applicant's claim 1 does not utilize biometrics for performing authentication. Nor does the Applicant's claim 1 utilize an account index code that distinguishes between buyer accounts. Pare also recites a seller registration process wherein the seller "registers at least one financial account with the computer system, and is given a seller identification code" (col. 4, lines 26-28). This registration process is completed by both the buyer and seller before any transactions may take place (col. 4, lines 28-30).

Moreover, the Pare reference does not teach comparing an actual value to a preset parameter that is defined by the account holder. As indicated above, the Pare reference is focused on authenticating a user of an account and not with providing an account status as recited in Applicant's claim 1. While the Pare reference provides some accounting functions such as debiting "the account of the buyer and credit[ing] the account of the seller...[and] if there are insufficient resources in the buyer's financial account, the transaction fails" (col. 4, lines 54-58),

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Pare does not compare the preset, account holder- defined parameter with the "actual value" and notify or provide the "information" to the account holder derived from the comparing. Rather, the Pare reference teaches that any notification provided is based upon a detection of fraud or a failed authentication procedure (col. 5, lines 23-30) and not based upon comparing the preset parameter with the actual value.

Further, Pare does not teach or suggest providing the information to the account holder via a device associated with the account holder. Any notification occurs at a point of transaction and is not specifically targeted and transmitted to the account holder device. Accordingly, the Applicant submits that because Pare does not teach each and every element of Applicant's claim 1, claim 1 is not anticipated by Pare and is in condition for allowance. Reconsideration of the rejection is respectfully requested. Claims 3 and 8 have been canceled. Claims 2, 4-7, 9, and 10 depend from what is now an allowable claim 1. For at least this reason, the Applicant submits that claims 2, 4-7, 9, and 10 are in condition for allowance. Reconsideration is respectfully requested. Notwithstanding, the Applicant has amended claims 2, 4, 5, 7, and 10 in a non-narrowing manner to better clarify that which is regarded as the invention.

Claims 11 and 12 are directed to a storage medium and a computer program product, respectively, for providing information as recited in claim 1. The Applicant submits that claims 11 and 12 are in condition for allowance at least for the reason presented above with respect to claim 1 and respectfully requests reconsideration of the outstanding rejections.

Claim 13 recites a system of providing information indicative of an account status to an account holder. The Applicant submits that claim 13 is in condition for allowance for at least the reason provided above with respect to claims 1, 11, and 12 and respectfully requests reconsideration of the outstanding rejections. Claim 14 depends from claim 13 and is in condition for allowance at least due to its dependency on claim 13.

New claim 15 depends from an allowable claim 4. New claims 16 and 17 depend from an allowable claim 11. New claims 18 and 20 depend from an allowable claim 13. New claim 19 depends from an allowable claim 18. The Applicant submits that new claims 15-20 are in

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condition for allowance at least due to their dependencies on allowable claims.

No new matter has been entered and no additional fees are believed to be required. However, if any fees are due with respect to this Amendment, please charge them to Deposit Account No. 06-1130 maintained by Applicants' attorneys.

Respectfully submitted,

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